UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,104	12/29/2003	Rutvik Doshi	17646-107001	9622

26231   7590   08/08/2006

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EXAMINER
RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within.the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12/29/2003_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-38_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-38_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _29 December 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _10/14/04, 1/19/05,_ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Preliminary amendment filed on May 17, 2005 has been entered.

2.   Claims 1-38 are pending.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on October 14, 2004 and

January 19, 2005 was filed before First Office Action. The submission is in compliance

with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is

being considered by the examiner.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent Application Number 2004/0268314 issued to Guy Pardon et al

("Pardon") in view of US Patent Number 6,671,686 issued to Michael Dieter

Kollman et al ("Kollman") and further in view of US Patent Number 6,748,555

issued to Hugh A. Teegan et al ("Teegan").

As per claim 1 Pardon teaches:

an application server comprising one or more applications, each application comprising one or more processes operable to generate one or more database calls (column 4, lines 8-14, server processes and database calls).

Pardon does not explicitly teach an analyzer component operable to correlate a first database call and a second database call generated by one of the processes with the particular process that generated the database call, monitor one or more parameters associated with the first database call, monitor one or more parameters associated with the second database call, analyze the one or more parameters of the first database call and the second database call, and a first identifier of the first database call, a second identifier of the process that generated the first database call and one or more of the one or more parameters associated with the first database call.

Kollman does teach an analyzer component operable to correlate a first ... call and a second ... call generated by one of the processes with the particular process that generated the ... call, monitor one or more parameters associated with the first ... call, monitor one or more parameters associated with the second ...call and analyze the one or more parameters of the first .. call and the second ... call (paragraph 38-45 and paragraph 55, correlator);

and a first identifier of the first ... call (paragraph 11, event id);

a second identifier of the process that generated the first ... call (paragraph 47, process identifier) and one or more of the one or more parameters associated with the first ... call (paragraph 11, temporal identifier) to manage data (paragraph 10, lines 1-3). It

would have been obvious to one of ordinary skill in the art at the time of the invention to

modify Pardon with analyzer component ... to manage data (paragraph 10, lines 10).

Pardon and Kollman do not explicitly teach display to a client. Teegan does teach

display to a client at column 11, lines 8-16) to provide visual confirmation of operation

(column 11, lines 8-16). It would have been obvious to one of ordinary skill in the art at

the time of the invention to modify Pardon and Kollman with a display to a client to

provide visual confirmation of operation (column 11, lines 8-16).

As per claim 2, same as claim arguments above and Kollman teaches:

identify one or more of the first parameters included in the first ... call (paragraph 38-

45);

identify one or more process parameters associated with the particular

process(paragraph 11, temporal id);

determine whether the ... call correlates with the process by comparing at

least one of the first parameters associated with the first ... call to at least one

corresponding process parameter associated with the process to determine if the

process generated the first ... call (paragraph 76, lines 10-22) .

As per claim 3 same as claim arguments above and Kollman teaches:

 further comprising an interceptor intercept the first ... call generated by the process

and communicate the one or more first parameters associated with the first ... call to the

analyzer component (paragraph 67 lines 10-22).

As per claim 4 same as claim arguments above and Kollman teaches:

intercept the particular process and communicate the one or more process parameters

associated with the process to the analyzer component(paragraph 67 lines 10-22).

As per claim 5 same as claim arguments above and Kollman teaches:

wherein each of the one or more processes comprises a Java method and the insider

component is operable to communicate process parameters for each Java method in a

Java method call tree to the analyzer component (paragraph 30, Java).

As per claim 6, same as claim arguments above and Pardon teaches:

wherein the one or more database calls comprise SQL calls and, for a particular SQL

call, the one or more parameters associated with the particular SQL call comprise: a

SQL statement of the particular SQL call, a SQL execution time for the particular SQL

call, one or more SQL exceptions of the particular SQL (column 9, lines 16-17, invoking

SQL statements).

As per claim 7, same as claim arguments above and Kollman teaches:

wherein, for a particular process the one or more process parameters associated with

the particular process comprise a timestamp and a thread of execution for the particular

process(paragraph 41: threaded, paragraph 62:temporal id, paragraph 63: local

timestamp) .

As per claim 8, same as claim arguments above and Kollman teaches:

wherein the analyzer component is further operable to compare the timestamp and the

thread of execution for the SQL call to a corresponding timestamp and the thread of

execution for the process to determine whether the process generated the SQL call;

and if the timestamp and the thread of execution for the SQL call matches the

corresponding timestamp and the thread of execution for the process , conclude that the

method generated the SQL call (paragraph 10-18).

As per claim 9 same as claim arguments above and Teegan teaches:

... displays first identifiers of ... calls and second identifiers of the processes that

generated the ... calls to the client in substantially real time(column 11, lines 8-16,

management console displays alerts and metrics (column 15, lines 50-60, displaying

metrics and metric tables 2-5).

As per claim 10, same as claim arguments above and Teegan teaches:

...display an alert notification to the client if one of the parameters associated

with the first or second ... call exceeds a predetermined threshold value (at column 11,

lines 54-62, generate alerts to system administrator).

As per claim 11, same as claim arguments above and Teegan teaches:

wherein the analyzer component is further operable to display a management console

to the client on a browser associated with the client, the management console

presenting a view of the displayed information (column 11, lines 8-16, management

console displays alerts and metrics).

As per claim 12, same as claim arguments above and Teegan teaches:

the management console is operable to display multiple second identifiers of processes

... display: a first identifier of a database call ... and at least one of the parameters for

each database call determined to correlate to the process associated with the selected

second identifier (column 15, lines 50-60, displaying metrics and metric tables 2-5).

Claims 13-24 are rejected based on the same rationale as claims 1-12.

Claims 25-36 are rejected based on the same rationale as claims 1-12.

 Independent claim 37 and independent claim 38 are rejected based on the same

rationale as claim 1.

Contact Information

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675.. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Rayyan

August 4, 2006
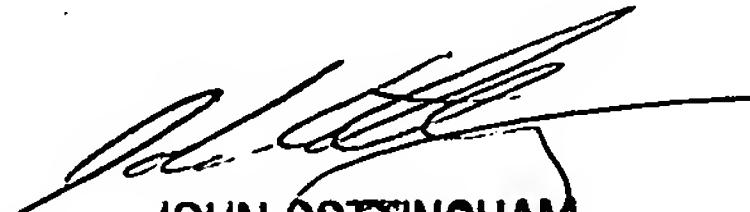
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